

FISCAL NOTE

Bill #: HB0495

Title: Revise laws governing revocation of operating permits

Primary Sponsor: Alan Olson

Status: Second Reading

Sponsor signature	Date	Chuck Swysgood, Budget Director	Date
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Fiscal Summary

	<u>FY2002 Difference</u>	<u>FY2003 Difference</u>
Expenditures:	0	0
Revenue:	0	0
Net Impact on General Fund Balance:	0	0

<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>	
	X	Significant Local Gov. Impact	X		Technical Concerns
	X	Included in the Executive Budget		X	Significant Long-Term Impacts
	X	Dedicated Revenue Form Attached		X	Family Impact Form Attached

Fiscal Analysis

ASSUMPTIONS:

1. The Department of Environmental Quality has revoked only one permit in the last five years. That permit requires continuous monthly or quarterly monitoring for a number of environmental resources. No monitoring has occurred since 1998. It is impossible for the department to comply with the requirement in Section 1(1) to ensure that environmental monitoring requirements of the permit are implemented after revocation of the permit. The department is therefore not required to conduct monitoring at that site.

2. Section 1(7)(c) requires that the department may not transfer any permit for which it has determined that environmental data has not been collected and recorded in substantial compliance with the environmental monitoring requirements of this part, rules adopted under this part, or the permit. The only permit revoked in the past 5 years could not be transferred in compliance with this part because the environmental data has not been collected and recorded in substantial compliance. Monitoring was not consistently conducted between 1996 and 1998 and no monitoring has been conducted since 1998.
3. Because current bond requirements include monitoring plans, there will be no fiscal impacts on any permits revoked in the future.

TECHNICAL NOTES:

1. Section 1(2) requires the department to conduct the environmental monitoring activities required by the revoked permit. For permits that were revoked prior to the effective date of this bill, the department has not conducted and was not required to conduct these environmental monitoring activities.